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Vineyard Group, LLC, Vineyard Point Associates, LLC and  
Peter J. Dacey

**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

In re	) Case No. 13-56118 SLJ
	)
KRANEM CORP.,	) Chapter 11
	)
Debtor.	) <b>NOTICE OF MOTION AND MOTION</b>
	) <b>TO TERMINATE DEBTOR'S PLAN</b>
	) <b>EXCLUSIVITY PERIOD</b>
	)
	) [MEMORANDUM OF POINTS AND
	) AUTHORITIES AND APPENDIX OF
	) AUTHORITIES CONCURRENTLY FILED
	) HEREWITH]
	)
	)
	) Date: June 12, 2014
	) Time: 1:30 p.m.
	) Place: 280 S. First Street
	) San Jose, CA 95113
	) Courtroom: 3099
	) Judge: Hon. Stephen L. Johnson

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1 NOTICE IS HEREBY GIVEN THAT Cape One Financial Master Fund Ltd., Vineyard  
2 Group, LLC, Vineyard Point Associates, LLC and Peter J. Dacey (collectively, the "Secured  
3 Parties"), secured creditors herein, hereby move the above-entitled United States Bankruptcy Court  
4 for an order holding that the Debtor's exclusive period to file a plan expired on March 25, 2014, or  
5 alternatively, terminating the Debtor's exclusivity period under 11 U.S.C. § 1121(d)(1) for cause  
6 (the "Motion") on the grounds more fully set forth in the annexed Memorandum of Points And  
7 Authorities.  
8

9 NOTICE is further given that the Motion will be heard before the Honorable Stephen L.  
10 Johnson, Bankruptcy Court Judge, in Courtroom 3099, 280 S. First Street 180, San Jose, CA  
11 95113 on June 12, 2014 on the Court's 1:30 p.m. calendar.

12 This Motion is based upon this Notice of the Motion and Motion, 11 U.S.C. § 1121, Local  
13 Bankruptcy Rule 9014-1(b)(1), the concurrently filed Memorandum of Points and Authorities and  
14 the entire record in this case, the statements, arguments and representations of counsel to be made  
15 at the hearing on the Motion, if any, and any other evidence properly presented to the Court in  
16 support of the Motion.

17 **PLEASE TAKE FURTHER NOTICE** that Local Bankruptcy Rule 9013-1(a)(7) requires  
18 that any opposition to the Motion be filed with the clerk of the Bankruptcy Court and served upon  
19 counsel for the Debtor at the address set forth in the upper left-hand corner of the first page hereof  
20 not later than fourteen (14) days prior to the hearing date.

21 **PLEASE TAKE FURTHER NOTICE** that, pursuant to Local Bankruptcy Rule 9013-  
22 1(a)(11), the failure to timely file and serve an opposition to the Motion may be deemed by the  
23 Court to constitute consent to the relief requested in the Motion.

24 **WHEREFORE**, the Secured Parties respectfully requests that the Court enter an order:

25 (1) determining that the Debtor's exclusive period to file a chapter 11 plan expired on  
26 March 25, 2014,; or alternatively,

27 (2) that cause exists to terminate the Debtor's plan exclusivity period  
28 under 1121(d) and

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(3) granting such other and further relief as the Court deems just and proper.

Dated: May 15, 2014

LEVENE, NEALE, BENDER, YOO  
& BRILL L.L.P.

By /s/ Daniel H. Reiss  
DANIEL H. REISS  
Attorneys for Secured Creditors

**CERTIFICATE OF SERVICE**

I, John Berwick, declare:

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action. My business address is 10250 Constellation Boulevard, Suite 1700, Los Angeles, California 90067.

On May 15, 2014, I served the following document NOTICE OF MOTION AND MOTION TO TERMINATE DEBTOR'S PLAN EXCLUSIVITY PERIOD by transmission of the Notice of Electronic Filing by the Clerk on the following CM/ECF participants:

Kathryn S. Diemer on behalf of Debtor Kranem Corporation  
kdiemer@diemerwhitman.com, ecfnotice@diemerwhitman.com

Sarah D. Moyed on behalf of Interested Party United States Securities and Exchange Commission  
MoyedS@sec.gov

Office of the U.S. Trustee / SJ  
USTPRegion17.SJ.ECF@usdoj.gov, ltroxas@hotmail.com

Daniel H. Reiss on behalf of Requestor Cape One Financial Master Fund Ltd.  
dhr@lnbyb.com, john@lnbyb.com

Daniel H. Reiss on behalf of Requestor M/S Family Foundation  
dhr@lnbyb.com, john@lnbyb.com

Daniel H. Reiss on behalf of Requestor Peter J. Dacey  
dhr@lnbyb.com, john@lnbyb.com

Daniel H. Reiss on behalf of Requestor Vineyard Group, LLC  
dhr@lnbyb.com, john@lnbyb.com

Daniel H. Reiss on behalf of Requestor Vineyard Point Associates, LLC  
dhr@lnbyb.com, john@lnbyb.com

Dominique Sopko on behalf of Debtor Kranem Corporation  
dsopko@diemerwhitman.com, ecfnotice@diemerwhitman.com

The following party (is), who is (are) not a CM/ECF participant by placing true and correct copies in sealed envelopes with postage thereon fully prepaid, in the United States mail at Los Angeles, California, addressed as set forth below:

☒ Service information continued on attached page

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day

1 with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion  
2 of the party served, service is presumed invalid if postal cancellation date or postage meter date is  
3 more than one day after date of deposit for mailing in affidavit.

4 I declare that I am employed in the office of a member of the bar of this court at whose  
5 direction the service was made.

6 I declare under penalty of perjury under the laws of the United States that the foregoing is  
7 true and correct.

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20  
May 15, 2014

Date

John Berwick

Printed Name

/s/ John Berwick

Signature

Label Matrix for local noticing  
0971-5  
Case 13-56118  
Northern District of California  
San Jose  
Thu May 15 13:50:49 PDT 2014

Asher Enterprises, Inc.  
1 Linden Place, Suite 207  
Great Neck, NY 11021-2640

CA Franchise Tax Board  
Attn: Special Procedures  
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Sacramento, CA 95812-2952

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The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

State Board of Equalization  
Attn: Special Procedures Section, MIC:55  
P.O. Box 942879  
Sacramento, CA 94279



The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Cape One Financial Master Fund Ltd.

(u)M/S Family Foundation

(u)Peter J. Dacey

(u)Vineyard Group, LLC

(u)Vineyard Point Associates, LLC

End of Label Matrix	
Mailable recipients	52
Bypassed recipients	5
Total	57